



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

07/815,783 01/02/92 FARRINGTON

S PA-5837-0-AW

EXAMINER

STEPHEN D. KREFFMAN
WHIRLPOOL CORP., LAW DEPT.
2000 M-63
BENTON, MI 49022

CHAUDHRY, S

ART UNIT	PAPER NUMBER
----------	--------------

3

1109

DATE MAILED:

04/15/92

SEARCHED SERIALIZED INDEXED
COMPUTERIZED FILED DRAWINGS

This application has been examined Responsive to communication filed on _____ This action is made final.

A shortened statutory period for response to this action is set to expire Three month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892.
2. Notice re Patent Drawing, PTO-948.
3. Notice of Art Cited by Applicant, PTO-1449.
4. Notice of Informal Patent Application, Form PTO-152
5. Information on How to Effect Drawing Changes, PTO-1474.
6. _____

Part II SUMMARY OF ACTION

1. Claims 1-19 are pending in the application.
2. Of the above, claims _____ are withdrawn from consideration.
3. Claims _____ have been cancelled.
4. Claims 1-19 are allowed.
5. Claims _____ are rejected.
6. Claims _____ are objected to.
7. Claims _____ are subject to restriction or election requirement.
8. This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
9. Formal drawings are required in response to this Office action.
10. The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are acceptable; not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
11. The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been approved by the examiner; disapproved by the examiner (see explanation).
12. The proposed drawing correction, filed _____, has been approved; disapproved (see explanation).
13. Acknowledgement is made of the claim for priority under U.S.C. 119. The certified copy has been received not been received been filed in parent application, serial no. _____; filed on _____.
14. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
15. Other _____

EXAMINER'S ACTION

Art Unit 1109

The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Claims 1-19 are rejected under 35 U.S.C. § 103 as being unpatentable over Johnston (A.U. patent no. 209,436) in view of Brenner et al. (U.S. Patent no. 4,784,666).

Johnston discloses a method of washing fabric in a washer having a wash chamber rotatable about a horizontal axis comprising the steps of: disposing fabric into the basket with a highly concentrated detergent solution of approximately six tenths percent; rotating the drum at 50 RPM to elevate and drop the fabric in the body of solution; after first period of time, adding water to the detergent solution already in the tub which provides a solution having a concentration of about three tenths percents for completing the washing operation; after second period of time, discharging washing solution; and rinsing said

Art Unit 1109

fabric with clean water (see pgs. 5-7). The reference fails to direct a recirculating spray of detergent solution in the chamber.

Brenner et al. disclose a method of laundering a textile wash load in a washing apparatus comprising the steps of:

introducing said textile wash load into a wash zone;
dissolving a quantity of detergent into a minimal quantity of water to form a concentrated detergent solution in the range of not less than approximately 0.5% to 4% detergent concentration;

applying said detergent solution to said wash load;
recirculating said concentrated detergent solution;
dispensing water into said wash zone to establish a dilute detergent solution which has a concentration of 0.06% to 0.28% by weight;

and rinsing said wash load (see claims). The detergent solution is sprayed on the clothes and recirculate (see col. 2, lines 20-30).

The reference fails to disclose a washer having a wash chamber rotatable about a horizontal axis.

Evaluation of level of ordinary skill in the art requires consideration of factors such as various prior art approaches employed, types of problems encountered in the art; rapidity with which innovations are made, sophistication of technology

Art Unit 1109

involved, educational background of those activity working in the field, commercial success, failure of others and the inventors educational level.

The "person having ordinary skill" in this art has the capability of understanding the scientific and engineering principles applicable to the claimed invention. The references of record in this case reasonably reflect this level of skill.

It would have been obvious at the time applicant invented the claimed process to incorporate the cited steps of Brenner et al. into the process of Johnston since all the references contemplate washing fabric in a washing machine. Furthermore, it would have been obvious to spray detergent solution on the clothes and recirculate detergent solution because these steps are well known in the art for saving water and for better cleaning.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saeed T. Chaudhry whose telephone number is (703) 308-3319.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0661.

Chaudhry 4/15
S. Chaudhry:aw

April 15, 1992

Theodore Morris
Theodore Morris
Supervisory Patent Examiner
Patent Examining Group 110